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June 25, 2020

The Honorable Elizabeth Cowan Wright  
Magistrate Judge, District of Minnesota  
342 Federal Building  
316 N. Robert Street  
St. Paul, MN 55101

Re: Jeffrey Weisen v. Northern Tier Retail LLC d/b/a Speedway  
Civil Case No.: 19-CV-2624 (JNE/ECW)

Your Honor,

I write at this time pursuant to Paragraph 4 of your Order of June 8, 2020, relative to the above referenced matter (Dkt. 36).

Since receiving your Order, our office has determined that Mr. Weisen has been a Plaintiff on 88 ADA Title III lawsuits that have been “filed with the Court or served via Minnesota’s “hip pocket” service rule.” Of those 88 matters, 49 have been resolved pursuant to settlement agreements. 37 of those 49 settlement agreements are confidential.

Your Order, at Paragraph 4, provides that “Plaintiff may seek additional relief from the Court with respect to any responsive settlement agreement that requires notice to a third-party that has not already been provided by Plaintiff.” At this time, we are requesting such additional relief. More specifically, we are seeking clarification that Mr. Weisen need not produce the confidential settlement agreements in accordance with this district’s decision in *Smith v Bradley Pizza et. al*, 17-CV-2032, ECT/KMM, (D. Minn. Nov. 13, 2018). To the extent the Court does require production of those confidential settlement agreements, we would request an additional 60 days to provide the parties to those agreements with notice of your Order and an opportunity to intervene or be heard as to the matter if they wish.

If you would prefer that we proceed by formal motion, or in some other manner than this correspondence, please let us know.

Respectfully submitted,



Patrick W. Michenfelder

PWM/tjs

cc. Daniel Olson (via e-service)  
Client